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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)
12)
Plaintiff) CR.S-02-130 FCD
13)
v.) RULE 35 MOTION
14)
VANCE KING WHITE,)
15)
Defendant.)
16 _____)
17

18 The United States of America by and through the undersigned
19 Assistant United States Attorney hereby moves this court pursuant to
20 Rule 35 of the Federal Rules of Criminal Procedure for a reduction
21 in sentence for the above entitled defendant.

22 Mr. White has already served the incarceration component of the
23 sentence he received from this Court. He is now approximately
24 halfway through his period of supervised release. Last year Mr.
25 White testified for the government in a trial in this District. Mr.
26 White's testimony, I believe, was very credible. He made himself
27 available at all times when we requested him to work on his
28 preparation and did whatever was requested of him to try to assist

1 the government in its prosecution. Based on Mr. White's cooperation
2 the government believes he deserves additional credit. Accordingly
3 the government requests that the Court reduce the defendant's period
4 of supervised release by one year. We believe that this reduction
5 will adequately reward the defendant for his cooperation while
6 reflecting the seriousness of the offense in which he was involved.

7
8 Respectfully submitted,

9 DATED: May 12, 2005

McGREGOR W. SCOTT
United States Attorney

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11 By: /s/ Daniel S. Linhardt
12 DANIEL S. LINHARDT
Assistant U.S. Attorney
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CERTIFICATE OF SERVICE BY MAIL

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Eastern District of California and is a person of such age and discretion to be competent to serve papers; that on May 4, 2005, she served a copy of **GOVERNMENT'S RULE 35 MOTION** by placing said copy in a postpaid envelope addressed to the person(s) hereinafter named, at the place(s) and address(es) stated below, which is/are the last known address(es), and by depositing said envelope and its contents in the United States Mail at Sacramento, California.

Addressee(s):

Dennis Waks, Esq.
Office of the Federal Defender
801 I Street, 3rd Floor
Sacramento, CA 95814

/s/ Virginia Waldrop
Virginia Waldrop

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	
)	
Plaintiff)	CR.S-02-130 FCD
)	
v.)	PROPOSED ORDER
)	
VANCE KING WHITE,)	
)	
Defendant.)	
_____)	

This matter having come before the Court on a motion by the United States for reduction of sentence for the above entitled defendant pursuant to Rule 35 of the Federal Rules of Criminal Procedure, and good cause having been shown therein the motion of the government is hereby granted, and it is ORDERED that the period of supervised release for DENNIS WHITE is hereby reduced by one year. All other conditions of supervised and the prior order of restitution remain unchanged.

Dated: May 12, 2005

/s/ Frank C. Damrell Jr.
HONORABLE FRANK C. DAMRELL JR.
U.S. DISTRICT COURT JUDGE